

UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
2024 MAY 23 PM 3:01
MARGARET DOTKINS, CLERK
CHEYENNE

UNITED STATES OF AMERICA,

Plaintiff,

v.

PRESTON LEWIS,

Defendant.

CRIMINAL COMPLAINT

Case Number: 24-mj-51-SWS

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

COUNT ONE

On or about April 19, 2024, in the District of Wyoming, the Defendant, **PRESTON LEWIS**, knowingly possessed silencers and short barreled rifles, as defined by 26 U.S.C. § 5845(a), that is, 3 3D printed silencers and 5 metal silencers, a MAC11 firearm with 3D printed frame, a Century Arms Mike AP5, bearing serial number T0624-22CF03355, a Spike's Tactical ST15, bearing serial number 179203, and an Airborne Arms LLC AA-15, bearing serial number 5090009, and said silencers and firearms were not registered to him in the National Firearms Registration and Transfer Record.

In violation of 26 U.S.C. §§ 5841(a), 5861(d) and 5871.

COUNT TWO

On or about April 19, 2024, in the District of Wyoming, the Defendant, **PRESTON LEWIS**, did knowingly possess a machine gun, as that term is defined in 26 U.S.C. § 5845(b), namely, an Airborne Arms LLC AA-15, bearing serial number 5090009 and a Palmetto Dagger Compact, bearing serial number JJE50086.

In violation of 18 U.S.C. §§ 922(o) and 924(a)(2).

I further state that I am a Special Agent with the Federal Bureau of Investigation and that this complaint is based on the following facts: *(See attached Sworn Statement)*

Continued on the attached sheet and made a part hereof.

William Whitfield

Signature of Complainant

WILLIAM WHITFIELD

Sworn and attested by the applicant before me by telephone, bearing a previous signature submitted by email communication in accordance with the requirements of Fed. R. Crim. P. 4.1.,

May 23, 2024

Date

at

Cheyenne, Wyoming

City and State

HON. KELLY H. RANKIN

United States District Judge

Name & Title of Judicial Officer

Kelly H. Rankin

Signature of Judicial Officer



**SWORN STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT
SPECIAL AGENT WILLIAM WHITFIELD
U.S. v. PRESTON LEWIS**

I, William Whitfield, being duly sworn, declare and state as follows:

1. I am an investigative or law enforcement officer of the United States within the meaning 18 U.S.C. § 2510(7) who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516.

2. I am a Special Agent with the Federal Bureau of Investigation, and have been since January 2016. Prior to that, I was an officer in the United States Army for approximately eight years. I am currently assigned to the Denver Field Office, Rock Springs Resident Agency. I am assigned to investigate various criminal matters. I have received specialized training in conducting criminal investigations and have consulted with my colleagues who have many years of experience investigating criminal activity.

3. I have received specialized training regarding criminal investigations through the FBI Academy. During my law enforcement career, I have participated in numerous investigations involving complex financial crimes, money laundering, felons in possession of firearms, threats of violence, and narcotics investigations. As a result of my training and experience, I have become familiar with the many techniques employed by individuals and organizations that endeavor to further this type of criminal activity.

4. On April 19, 2024, I was contacted by Rock Springs Police Department (RSPD) who informed me they obtained a state Search Warrant for the residence of PRESTON LEWIS in Rock Springs, Wyoming in furtherance of an investigation involving fraudulently acquired firearms.

5. Also on April 19, 2024, LEWIS was detained and interviewed at RSPD by a RSPD Detective and myself. LEWIS volunteered to speak after being advised of his Miranda Rights verbally and in writing.

6. LEWIS said he lived in Rock Springs for a few years after moving from Palm Springs, California. LEWIS currently worked security at the Jim Bridger power plant.

7. During the interview, LEWIS acknowledged possessing a short barrel rifle (a Century Arms AP5). LEWIS later admitted to installing a "Glock Switch," a device intended to convert a semi-automatic firearm to a machine gun, on a pistol which was located in his residence, and that he had gotten the switch working.

8. LEWIS further acknowledged creating 3D printed suppressors as well as "solvent trap" suppressors. LEWIS said they were operational and noted one even held up to automatic fire. LEWIS stated he was in the process of obtaining a legal suppressor and was waiting for the ATF forms to clear. LEWIS also acknowledged modifying an AR style rifle into a fully automatic "machine gun." LEWIS stated he owns a 3D printer and printed auto sears for the rifles. LEWIS said he did not have a "SOT" [Special Occupational Tax] and had not done proper paperwork for anything other than the silencer that he was attempting to purchase legally, and for which LEWIS had not received.

9. LEWIS signed a Consent to Search form during the interview, providing consent for the search and seizure of NFA firearms from LEWIS's residence. LEWIS provided a list of NFA items in his residence as well as locations of where NFA items were located.

10. During the interview of LEWIS, RSPD executed a State search warrant at LEWIS's residence located in Rock Springs, Wyoming. RSPD located and seized approximately 14 firearms that were believed to be purchased fraudulently based on information obtained by RSPD.

11. Upon conclusion of the interview, I met with RSPD at LEWIS's residence. I collected items from LEWIS's residence suspected to be NFA items that had been located by RSPD during their search warrant execution as well as items I located based on the information provided by LEWIS. The following items were seized:

- Item 1: Three, 3D printed silencers

- Item 2: Five metal silencers
- Item 3: Three suspected machine gun conversion devices for AR style rifles, unserialized
- Item 4: MAC11 pattern firearm with 3D printed frame, unserialized, with an affixed stock; barrel length measured to be approximately 5 ½ inches.
- Item 5: Century Arms Mike AP5, serial number T0624-22CF03355, with an affixed stock, and barrel length of approximately 9 inches.
- Item 6: Spike's Tactical ST15, serial number 179203, with an affixed stock, and barrel length of approximately 15 inches including a muzzle device which could be easily removed by hand.
- Item 7: Airborne Arms LLC AA-15, serial number 5090009, with an affixed stock and barrel length of approximately 12 inches.
- Item 8: Palmetto Dagger Compact, serial number JJE50086.
- Item 9: Box of suspected Machinegun Conversion Device (MCD) Parts.

12. A functions check of Airborne Arms LLC AA-15, serial number 5090009, as well as Palmetto Dagger Compact, serial number JJE50086, indicated both were capable of automatic fire and were machine guns.

13. Based on the preceding information, I submit there is probable cause to believe that LEWIS violated 26 USC 5861(d), Receive or Possess a firearm which is not registered to him in the National Firearms Registration and Transfer Record, due LEWIS's possession of 8 suspected silencers with no observed serial numbers, as well as the possession of:

- MAC11 pattern firearm with 3D printed frame, unserialized, with an affixed stock; barrel length measured to be approximately 5 ½ inches.
- Century Arms Mike AP5, serial number T0624-22CF03355, with an affixed stock, and barrel length of approximately 9 inches.
- Spike's Tactical ST15, serial number 179203, with an affixed stock, and barrel length of approximately 15 inches including a muzzle device which could be easily removed.
- Airborne Arms LLC AA-15, serial number 5090009, with an affixed stock and barrel length of approximately 12 inches.

14. Additionally, I submit there is probable cause to believe LEWIS violated 18 USC 922(o), unlawful possession of a Machine Gun, due to LEWIS's possession of Airborne Arms LLC AA-15, serial number 5090009; and Palmetto Dagger Compact, serial number JJE50086.

END OF SWORN STATEMENT

PENALTY SUMMARY

DEFENDANT NAME: PRESTON LEWIS

DATE: May 23, 2024

INTERPRETER NEEDED: No

VICTIM(S): No

OFFENSE/PENALTIES:

Ct: 1 26 U.S.C. §§ 5841(a), 5861(d) and 5871
(Possession of a Silencer Not Registered in the National Firearms Registration and Transfer Record)

0-10 Years Imprisonment
Up To \$250,000 Fine
Up To 3 Years Supervised Release
\$100 Special Assessment

Ct: 2 18 U.S.C. §§ 922(o) and 924(a)(2)
(Unlawful Possession of a Machine Gun)

0-10 Years Imprisonment
Up To \$250,000 Fine
3 Years Supervised Release
\$100 Special Assessment

TOTALS:

0-20 Years Imprisonment
Up To \$500,000 Fine
3 Years Supervised Release
\$200 Special Assessment

AGENT: William Whitfield, FBI

AUSA: Michael J. Elmore, Assistant United States Attorney

ESTIMATED TIME OF TRIAL: 1 to 5 days

**WILL THE GOVERNMENT
SEEK DETENTION IN THIS
CASE:** Yes

**ARE THERE DETAINERS
FROM OTHER
JURISDICTIONS:** No